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10 **UNITED STATES DISTRICT COURT**
11
12 **NORTHERN DISTRICT OF CALIFORNIA**
13
14 **SAN JOSE DIVISION**

15 COMMUNITY HOSPITAL OF THE
16 MONTEREY PENINSULA,
17 Plaintiff,
18 vs.
19 MICHAEL O. LEAVITT, Secretary of
20 the United States Department of Health
21 and Human Services,
22 Defendant.

CASE NO. C 06-3302 JW RS
[PROPOSED] ORDER DISMISSING
CASE WITH PREJUDICE AND
VACATING MARCH 17, 2008
STATUS CONFERENCE

23 All parties in this lawsuit having filed a Joint Stipulation of Settlement and
24 Dismissal with Prejudice, the Court hereby Orders that:

25 1. the currently scheduled March 17, 2008 Status Conference is vacated;
26 and
27 2. this case is dismissed with prejudice.

28 The Clerk shall close this file.

Dated: March 12, 2008


JAMES WARE
United States District Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1875 Century Park East, Suite 1600, Los Angeles, California 90067-2517.

On March 12, 2008, I served the following document(s) described as
[PROPOSED] ORDER DISMISSING CASE WITH PREJUDICE AND
VACATING MARCH 17, 2008 STATUS CONFERENCE on the interested
parties in this action by placing true copies thereof enclosed in sealed envelopes
addressed as follows:

Scott N. Schools, Esq.
United States Attorney
Joann M. Swanson
Chief, Civil Division
Sara Winslow
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, CA 94102

Jon P. Neustadter, Esq.
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BY MAIL: I am "readily familiar" with Hooper, Lundy & Bookman's practice for collecting and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such envelope(s) were placed for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 12, 2008, at Los Angeles, California.

/s/
Jodee Jones